

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Confirmation Number: 8519

James Barton, et al.

**CLOSED CAPTION TAGGING** 

Group Art Unit: 2616

Serial No.: 09/665,921

Examiner: Jamie J. Vent

Filed: September 20, 2000

RECEIVED

NOV 1 2 2004

**SYSTEM** 

Technology Center 2600

## RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

For:

In response to the Office Action dated October 4, 2004, for the application referenced above wherein restriction has been required, Applicants hereby elect without traverse Claims 1-14, 28-41 and 55-68 of Group I for examination.

Please cancel all other claims in Groups II and III.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: November 3, 2004

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## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (12/99)

November 3, 2004

Approved for use through 09/30/2000. OMB 0651-0032
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## NO FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision, Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28

(\$) 0.00

TOTAL AMOUNT OF PAYMENT

Complete if Known						
Application Number	09/665,921					
Filing Date	September 20, 2000					
First Named Inventor	James Barton, gral CEVED					
Examiner Name	Jamie J. Vent					
Group/Art Unit	2616 NOV 1 2 2004					
Attorney Docket No.	60097-0112 Technology Center 2600					

METHOD OF PAYMENT (check one)			-		CALCILIATION (continued)	<del>500</del>	
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)					
1. Throughout the pendency of this application, please charge		3. ADDITIONAL FEES Large Entity Small Entity Fee Description					
any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-	Large Fee	Fee	Small Fee	Entity Fee	Fee Description Fee Page 1	a10	
1302. A duplicate of this sheet is enclosed.	Code	(\$)	Code	(\$)			
Deposit	1051	130	2051	65	Complete Cline for anoth		
Account Number 50-1302	1001	100	2001	00	Surcharge – late filing fee or oath		
	1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.	$\neg$	
Deposit Account Hickman Palermo Truong & Becker, LLP	1053	130	1053	130	Non-English specification		
Name	1812	2,520	1812	2 520	For filing a request for requestion		
	1804			2,520 920*	For filing a request for reexamination		
2. Payment Enclosed:		920*	1804	920"	Requesting publication of SIR prior to Examiner action	- 1	
Check Money Other	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
3. Applicant(s) is entitled to small entity status.	1251	110	2251	55	Extension for reply within first month		
See 37 CFR 1.27. FEE CALCULATION	1252	420	2252	210	Extension for reply within second month		
1. BASIC FILING FEE	1253	950	2253	475	Extension for reply within third month	$\neg$	
Large Entity Small Entity	1254	1,480	2254	740	Extension for reply within fourth month	$\dashv$	
Fee Fee Fee Fee Description	1255	2010	2255	1005	Extension for reply within fifth month	$\dashv$	
Code (\$) Code (\$) Fee Pald  1001 770 2001 385 Utility filing fee	1401	330	2401	165	Notice of Appeal		
1001 770 2001 385 Utility filing fee 1002 340 2002 170 Design filing fee	1402	330	2402	165	Filing a brief in support of an appeal		
1003 530 2003 265 Plant filing fee	1403	290	2403	145	Request for oral hearing	-	
1004 770 2004 385 Reissue filing fee	1451	1.510	1451	1,510	Petition to institute a public use proceeding	$\dashv$	
1005 160 2005 80 Provisional filing fee	1452	110	2452	55	Petition to revive – unavoidable		
SUBTOTAL (1) (\$) 0.00		1330	2453	665	Petition to revive – unintentional	$\neg$	
2. EXTRA CLAIM FEES	1501	1330	2501	665	Utility issue fee (or reissue)		
Highest Extra Fee from Paid Claims Claims Below Fee Paid	1502	480	2502	240	Design issue fee		
Total Claims 42 -81= 0 x 18.00 = 0.00	1503	640	2503	320	Plant issue fee	$\dashv$	
Independent 3 -9= 0 X 88.00 = 0.00	1460	130	1460	130	Petitions to the Commissioner	$\dashv$	
Multiple Dependent =	1807	50	1807	50	Petitions related to provisional applications	$\dashv$	
**or number previously paid, if greater; For Reissues, see below	1806	180	1806	180	Submission of information Disclosure Stmt	$\neg$	
Large Entity Small Entity Fee Fee Fee Fee Fee Description Code (\$) Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
1202 18 2202 9 Claims in excess of 20	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		
1201 86 2201 43 Independent claims in excess of 3	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		
1203 290 2203 145 Multiple dependent claim, if not paid	l .					$\neg$	
1204 86 2204 43 **Reissue independent claims over original patent	Other	fee (spe	cify) _				
1205 18 2205 9 **Reissue claims in excess of 20 and over original patent	Other	fee (spe	cify) _				
SUBTOTAL (2) (\$) 0.00	*Reduc	ced by B	asic Fili	ng Fee F	Paid SUBTOTAL (3) (\$) 0.00		
SUBMITTED BY							
Name (Print/Type) Christopher J. Palermo (Attorney/Agent) 42,056 Telephone (408) 414-1080							
- / / / / O O// / / S			MUSI POTO	~~ =/	, (100) 114 1000		

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